IN THE SUPREME COURT OF WISCONSIN
No. 2021AP1450-OA

Billie Johnson, Eric O'Keefe, Ed Perkins and Ronald Zahn,
Petitioners,
Black Leaders Organizing for Communities, Voces de la Frontera, League of Women Voters of Wisconsin, Cindy Fallona, Lauren Stephenson, Rebecca Alwin, Congressman Glenn Grothman, Congressman Mike Gallagher, Congressman Bryan Steil, Congressman Tom Tiffany, Congressman Scott Fitzgerald, Lisa Hunter, Jacob Zabel, Jennifer Oh, John Persa, Geraldine Schertz, Kathleen Qualheim, Gary Krenz, Sarah J. Hamilton, Stephen Joseph Wright, Jean-Luc Thiffeault, and Somesh Jha,
Intervenors-Petitioners,
v.
Wisconsin Elections Commission, Marge Bostelmann in her official capacity as a member of the Wisconsin Elections Commission, Julie Glancey in her official capacity as a member of the Wisconsin Elections Commission, Ann Jacobs in her official capacity as a member of the Wisconsin Elections Commission, Dean Knudson in his official capacity as a member of the Wisconsin Elections Commission, Robert Spindell, Jr. in his official capacity as a member of the Wisconsin Elections Commission and Mark Thomsen in his official capacity as a member of the Wisconsin Elections Commission,
Respondents,
The Wisconsin Legislature, Governor Tony Evers, in his official capacity, and Janet Bewley Senate Democratic Minority Leader, on behalf of the Senate Democratic Caucus,
Intervenors-Respondents.

Original Action in the Wisconsin Supreme Court

REPLY BRIEF OF INTERVENOR-PETITIONERS BLACK LEADERS ORGANIZING FOR COMMUNITIES, VOCES DE LA FRONTERA, LEAGUE OF WOMEN VOTERS OF WISCONSIN, CINDY FALLONA, LAUREN STEPHENSON & REBECCA ALWIN

Douglas M. Poland
State Bar No. 1055189
Jeffrey A. Mandell
State Bar No. 1100406
Colin T. Roth
State Bar No. 1103985
Rachel E. Snyder
State Bar No. 1090427
Richard A. Manthe
State Bar No. 1099199
Carly Gerads
State Bar No. 1106808
STAFFORD ROSENBAUM LLP
222 West Washington Ave., #900
P.O. Box 1784
Madison, WI 53701-1784
dpoland@staffordlaw.com
jmandell@staffordlaw.com
croth@staffordlaw.com
rsnyder@staffordlaw.com
rmanthe@staffordlaw.com
cgerads@staffordlaw.com
608.256.0226

Mel Barnes
State Bar No. 1096012
LAW FORWARD, INC.
P.O. Box 326
Madison, WI 53703-0326
mbarnes@lawforward.org
608.535.9808

Mark P. Gaber*
Christopher Lamar*
Simone T. Leeper*
CAMPAIGN LEGAL CENTER
1101 14th St. NW Suite 400
Washington, DC 20005
mgaber@campaignlegal.org
clamar@campaignlegal.org
sleeper@campaignlegalcenter.org
202.736.2200

Annabelle Harless*
CAMPAIGN LEGAL CENTER
55 W. Monroe St., Ste. 1925
Chicago, IL 60603
aharless@campaignlegal.org
312.312.2885

Counsel for Intervenor-Petitioners, Black Leaders Organizing for Communities, Voces de la Frontera, the League of Women Voters of Wisconsin, Cindy Fallona, Lauren Stephenson, and Rebecca Alwin

*Admitted *pro hac vice*

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Page

Cases

Statutes and Constitutional Provisions

INTRODUCTION

The Voting Rights Act (VRA) requires drawing seven effective Black opportunity districts in the Milwaukee area, as only BLOC does. The Legislature's rhetoric characterizing those districts as "most-changes" improperly ignores the VRA (as does its non-compliant five-district configuration) and underscores how its own proposal unnecessarily makes *more* changes elsewhere in the state than BLOC—including through the policy decision to eliminate roughly one-third of all municipal splits from the current map. That violates a "least-change" approach.

Moreover, all parties have cleared the *de minimis* population deviation threshold; the Legislature's laser focus on negligible differences in that measure ignores how they affect only a few thousand people statewide.

ARGUMENT

I. Only BLOC's proposal complies with the VRA.

A. The VRA requires seven Black opportunity districts.

A seventh Black opportunity district satisfies the *Gingles* preconditions: (1) Black voters constitute a geographically compact majority of seven districts; (2) Black voters are politically cohesive; and (3) absent VRA-compliant districts, bloc voting by the white majority will usually defeat Black voters' preferred candidates. *Thornburg v. Gingles*, 478 U.S. 30 (1986). Overwhelming, undisputed evidence also shows that the totality-of-circumstances favors a finding of vote dilution under the current six-district configuration, including expert evidence showing that Wisconsin ranks at the bottom nationally on many racial disparity measures. (*See generally* BLOC App. 59–98)

The Legislature neither offers contrary evidence nor even mentions *Gingles* or the totality-of-circumstances factors.

Rather, it wrongly contends that: (1) unpacking the existing Black majority districts will improperly reduce their Black percentages; (2) population changes do not warrant an additional Black opportunity district; (3) proportionality forecloses a seventh district; and (4) a seventh district might endanger the VRA's constitutionality.

First, the Legislature objects that BLOC's proposal reduces the Black voting-age population ("BVAP") in their new VRA districts to smaller majorities.[1] (Leg. Resp. Br. 10, 12) But the VRA prohibits packing Black voters "into districts where they constitute an excessive majority." *Gingles*, 478 U.S. at 46 n.11. BLOC's proposal avoids exactly that violation.

[1] The Legislature excludes "multi-race subcategories" from its calculations and thereby presents incorrect BVAP figures for BLOC's (and the Governor's) map, apparently intending to show that their districts are not majority BVAP. (Leg. Resp. Br. 22) But "it is proper to look at *all* individuals who identify themselves as black" in assessing VRA liability. *Georgia v. Ashcroft*, 539 U.S. 461, 473 n.1 (2003) (emphasis in original). By that metric, BLOC's proposed seven districts are all BVAP majority. (BLOC Reply App. 006, Mayer Reply Rpt. 2)

By contrast, the Legislature proposes to *exacerbate* the current packing and cracking of Black voters. For example, current AD17 has a BVAP of 68.4% and AD11's is 60.6%. (BLOC Resp. Br. 9) The Legislature's proposal increases AD11's BVAP to ***73.3%*** and drops AD10's BVAP by over 10 percentage points to ***47.2%***. (BLOC Resp. Br. 9)[2] This converts AD10 into a district where Black voters likely *cannot* nominate their chosen candidates through Democratic primaries, leaving the Legislature's map with only ***five*** Black opportunity districts. *See infra*. This would violate the VRA, whether six or seven Black opportunity districts are required.[3]

---

[2] The Legislature's objection to BLOC's BVAP ***majorities*** is peculiar given that its AD10—a purported opportunity district in its proposal—is only 47.2% BVAP.

[3] The Legislature insinuates that adding a Black VRA district would be "partisan gerrymandering" to "create more Democratic seats." (Leg. Resp. Br. 24) But this Court *expressly* forbade parties from "present[ing] arguments regarding the partisan makeup of proposed districts." *Johnson v. Wis. Elections Comm'n*, 2021 WI 87, ¶ 87, __ Wis. 2d __, __ N.W.2d __ (Hagedorn, J., concurring). The argument also is absurd—AD14, which BLOC converts to the seventh Black opportunity district, is *already* represented by a Democrat.

The Legislature also objects that two of BLOC's VRA districts extend beyond the Milwaukee county line. (Leg. Resp. Br. 26–29) But unpacking Black-majority districts required this, and to the extent Wisconsin law disfavors breaking county lines, it must give way to federal law. *Cf. Perez v. Abbott*, 250 F. Supp. 3d 123, 140–43 (W.D. Tex. 2017) (ruling that Section 2 preempts Texas's "County Line" rule for state house districting). Moreover, Act 43 broke the county line for eight districts, compared to seven in BLOC's proposal. If the Legislature will break the county line for predominantly white districts but not predominantly Black districts, that race-based criterion violates the Equal Protection Clause. *See Cooper v. Harris*, 137 S. Ct. 1455, 1463–64 (2017) (race cannot be

predominant consideration in forming districts absent a compelling reason, such as VRA compliance).[4]

Second, the Legislature contends that population changes since 2010 do not warrant an additional Black opportunity district. But it improperly excludes multiracial Black Wisconsinites from its discussion (which reduces BVAP), an approach the U.S. Supreme Court has expressly rejected. (Leg. Resp. Br. 22) *See supra* n.1. Census data reveals that the statewide BVAP has grown by 17% since 2010, compared to just a 0.5% increase in white VAP. (BLOC Reply App. 011, Collingwood Reply Rpt. 5) In Milwaukee County, BVAP increased by roughly 10,000 since 2010—a 5.5% increase—while white VAP has decreased by over 41,000—a 9.5% decrease. (*Id.*) This pattern, combined with an

[4] In any event, only 21.3% of the population in BLOC's proposed AD11 is in Ozaukee County, while just 15.5% of AD12's population is in Waukesha County. (BLOC Reply App. 006; Mayer Reply Rpt. 2)

excessively packed Black population, requires drawing a seventh opportunity district.

Third, the Legislature's proportionality argument misses how six districts are *below* proportional for Black voters. (BLOC Resp. Br. 11–13) Regardless, although proportionality has "some relevance" among the many totality-of-circumstances considerations, it should not be given "undue emphasis" when evaluating vote dilution under the VRA. *LULAC v. Perry*, 548 U.S. 399, 436 (2006) (internal quotation marks and citations omitted). Yet proportionality is the *only* factor the Legislature discusses.

As the undisputed evidence shows, the totality-of-circumstances evidence is overwhelming: Black Wisconsinites bear considerably more discriminatory effects and disparate conditions than exist elsewhere in the United States, and those factors combine to create barriers to electoral participation that likewise place Wisconsin nearly last among the 50 states.

(BLOC App. 59–98) That evidence, combined with the satisfied *Gingles* factors, establishes that packing and cracking Black voters into just six districts—and certainly into just five effective districts as the Legislature does (with one soaring to 73.3% BVAP)—is unlawful vote dilution.

Fourth, the Legislature contends that moving from six packed Black districts to seven unpacked Black districts somehow would render the VRA unconstitutional as a "racial[] gerrymander[]." (Leg. Resp. Br. 31) This purportedly would create "mechanical racial targets" of majority-minority districts. (*Id.*) But BLOC does not argue for "mechanical" targets—it shows vote dilution under the totality of the circumstances. In any event, the U.S. Supreme Court ***created*** the supposed "mechanical" majority-minority target the Legislature contends is unconstitutional. *See, e.g.*, *Bartlett v. Strickland*, 556 U.S. 1, 19 (2009).

Moreover, the *Legislature* itself unlawfully made race the predominant consideration in its districting plan. It repeatedly lauds its plan for keeping more Black Wisconsinites in their prior districts than white Wisconsinites. (*See, e.g.*, Leg. Resp. Br. 10) Unlike using race to satisfy the *Gingles* test for VRA districts, the U.S. Supreme Court has *never* approved a goal of ensuring that the percentage of "Black Individuals Retained" in new districts exceeds the same percentage for white voters. Not only does maximizing this invented metric undermine VRA compliance by locking in packed Black districts, but also it is the type of race-based statistical target that violates the Equal Protection Clause. *See, e.g.*, *Ala. Legislative Black Caucus v. Alabama*, 575 U.S. 254, 304 (2015).

B. Even if the VRA required only six Black VRA districts, the Legislature's proposal includes just five.

Even if the VRA required only six Black opportunity districts—which it does not—the Legislature's proposal still violates the VRA because it includes just five effective Black opportunity districts. Vote dilution is ascertained by a functional analysis of election results in a district, not just demographic data. A district that is configured in a way that permits bloc-voting white Democrats to defeat Black-preferred candidates in Democratic primaries violates the VRA.

The Legislature proposes to reduce AD10's BVAP from 59.4% in the current plan to 47.2%. (BLOC Resp. Br. 9) While a 47.2% BVAP district *somewhere else* may not be vote dilutive, the Legislature (as well as the other parties) both (1) keep Shorewood in AD10 and (2) add predominantly white Democratic Milwaukee wards to the district. An "intensely local appraisal," *Gingles*, 478 U.S. at 79, of the electoral

conditions in Milwaukee County reveal that Shorewood and its neighboring lakeshore communities must be avoided in configuring Black opportunity districts. (BLOC Resp. App. 5, Collingwood Rebut. Rpt. at 1) BLOC's districts do just that.

Even if the Court (incorrectly) concluded that the VRA requires only six Black opportunity districts, it still could not accept the Legislature's proposal to unlawfully pack and crack Black voters into just five such districts. Indeed, BLOC demonstrates that six districts can easily be drawn that allow Black voters to nominate and elect their candidate of choice, unlike the Legislature's proposal. (BLOC Reply App. 008–010, Collingwood Reply Rpt. 2–4) Moreover, such a plan would have an average core retention of 86.8% for the assembly and 91.8% for the senate—well above the Legislature's plans. (BLOC Reply App. 006, Mayer Reply Rpt. 2)

To be clear, BLOC believes that this demonstrative plan—which it does *not* offer as an alternative proposal—would violate the VRA by including only six Black opportunity districts. But it demonstrates that the Legislature's purported six-district configuration violates the VRA by creating just *five* effective districts, and that it does not make the least changes necessary statewide.

II. BLOC's proposal also best complies with "least-change" and all other legal requirements and other criteria.

A. The Legislature's "least-change" critiques miss the mark.

BLOC's proposal retain among the most people in their existing districts. Indeed, even the Legislature concedes that BLOC "achieve[s] relatively high core retention." (Leg. Resp. Br. 6) Moreover, BLOC's proposal scores highest on geographical core retention. (*See* Hunter Resp. Br. 15; *Johnson v. Wis. Elections Comm'n*, 2021 WI 87, ¶¶ 82–83, __ Wis. 2d __, __ N.W.2d __ (Hagedorn, J., concurring) (noting focus on

which proposal "most aligns with current district boundaries").)

The Legislature nevertheless contends that its proposal performs best on "least-changes." But two key facts undermine its argument.

First, the Legislature admits that its proposal is the "product of *policymaking* by Wisconsin's elected representatives." (Leg. Resp. Br. 18 (emphasis added)) Indeed, those representatives did *not* take a "least-change" approach when drafting SB621, which the senate and assembly passed before this Court's November 30 opinion. (*Cf.* Leg. Resp. Br. 19) Rather, they made non-legal policy decisions about how best to "maintain whole communities of interest" and "[p]romote continuity of representation." 2021 Wis. Senate Joint Res. 63. Those policy decisions appear in, for example, how the Legislature's assembly proposal reduces the number of municipal splits over 2011 Act 43 by *one-third*, from 78 to

52. (Leg. Resp. Br. 15 (similar reduction for senate municipal splits))

Eliminating a third of existing municipal splits reflects policy choices extending far beyond the "[r]evisions [that] are now necessary only to remedy malapportionment produced by population shifts." *Johnson*, 2021 WI 87, ¶ 8. Ratifying the Legislature's new policy choices (which the Governor vetoed and which depart from the 2011 Legislature and Governor's policy choices) would be inconsistent with the role the Court identified for itself, which is *not* to "endorse the policy choices of the political branches" but rather to "simply remedy the malapportionment claims." *Id.*, ¶ 78. The Legislature improperly asks the Court to "[t]read[] further than necessary to remedy [the existing maps'] current legal deficiencies," *id.*, ¶ 64, and thereby depart from a "least-change" approach.

Second, the Legislature's criticism of BLOC's Milwaukee-area districts underscores its own departure from

"least-change." It trumpets its higher core retention in Milwaukee, accusing BLOC of a "most-changes" approach due to BLOC's lower core retention there. (Leg. Resp. Br. 10–12)

But this criticism boomerangs back on the Legislature in two ways. It first ignores how VRA compliance drives BLOC's relatively lower core retention in the Milwaukee area. Only by ignoring the VRA's demand for more Black opportunity districts could the Legislature drive up its core retention there.

It also highlights how, having failed to move the necessary population in Milwaukee to achieve VRA compliance, the Legislature unnecessarily moves population elsewhere. Its higher core retention in Milwaukee is counterbalanced by correspondingly *lower* core retention everywhere *outside* the Milwaukee area. (Leg. Resp. Br. 10) And BLOC's demonstrative plan shows that a hypothetical six-

district VRA configuration should yield an 86.8% assembly core retention score, which further illustrates the Legislature's unnecessary statewide changes.[5] (BLOC Reply App. 006, Mayer Rpt. 2).

The Legislature offers no explanation for moving disproportionately more voters everywhere else *besides* Milwaukee.[6] The VRA played no role, as Milwaukee is the only area requiring VRA compliance. Nor does equalizing population explain this anomaly. If it did, BLOC would have lower statewide core retention scores than the Legislature because BLOC also would have had to move just as many people outside the Milwaukee area to attain population equality. Put differently, BLOC remedies malapportionment outside Milwaukee with *higher* core retention scores there than

[5] This figure is 2.6% higher than the Legislature's 84.2% rate, which represents a movement of over 153,000 extra people.

[6] BLOC previously identified specific examples of unexplained population movements. (BLOC Resp. Br. 24–39)

the Legislature, so that cannot explain the Legislature's population shifts either.

A key unanswered question thus remains: Why, in areas that do not require VRA compliance, has the Legislature moved more voters than necessary to equalize population? Because the answer is *not* "to comply with a legal requirement," the Legislature's proposal does not follow a proper "least-change" approach.[7]

B. BLOC's population deviation, like all other parties' proposals, is well below the *de minimis* threshold.

The Legislature wrongly asserts that its negligibly lower population deviation is "dispositive" here. (Leg. Resp. Br. 7) Courts have long applied a "*de minimis*" standard for population deviation across Wisconsin's state legislative

[7] The Legislature's negligibly lower total population deviation cannot explain its significant statewide changes. BLOC's deviation would match the Legislature's by reassigning only around 3,200 people *statewide*. There is no relationship between core retention and population deviation. (BLOC Reply App. 006, Mayer Reply Rpt. 2)

districts. *AFL-CIO v. Elections Bd*., 543 F. Supp. 630, 634 (E.D. Wis. 1982) (defining *de minimis* as below 2% population deviation); *Baumgart v. Wendelberger,* No. 01-C-0121, 2002 WL 34127471, at *7 (E.D. Wis. May 30, 2002) (noting that a court-drawn plan with 1.48% deviation fell below the 2% threshold).

Ignoring this authority, the Legislature invents a new legal standard—absent from both previous caselaw and the Court's November 30 opinion—that would require *least* deviation in addition to "least-change." But courts have rejected such a requirement, and BLOC's deviation of 1.32% is lower than the "scant" 1.74% and 1.48% population deviations of previous court-drawn plans. *See AFL-CIO*, 543 F. Supp at 637; *Baumgart*, 2002 WL 34127471, at *7.

To illustrate the *de minimis* nature of deviations this close to zero: a mere 3,265 people are impacted by the difference between BLOC's assembly deviation of 1.32% and

a 0.8% deviation, approximately the Legislature's score. (BLOC Reply App. 005–06; Mayer Reply Rpt. 1–2)

The Legislature contends that "[b]y relaxing population equality, . . . BLOC also achieve[s] relatively high core retention . . . ." (Leg. Resp. Br. 6) Not so. Not only is there no relationship between BLOC's core retention and its population deviation, but moving the 3,265 people *statewide* needed for their deviation to match the Legislature's would have no material effect on core retention in a state of 5,893,718 people. (BLOC Reply App. 005–06; Mayer Reply Rpt. 1–2)

Regardless, the Court should reject the Legislature's new criterion, proposed at the eleventh hour after all parties submitted their maps. No Wisconsin court has ever split hairs among proposed maps with population deviations this close to zero, and this Court should not be the first.

C. BLOC's proposal makes the fewest changes to existing county and municipal splits.

BLOC's proposal performs comparably to Act 43 on municipal and county splits, just as a "least-change" approach demands. Act 43 splits 78 municipalities and 58 counties in the assembly, and 48 municipalities and 46 counties in the senate. (Leg. Resp. Br. 15) Comparably, BLOC splits 77 municipalities and 53 counties in the assembly, and 53 municipalities and 42 counties in the senate.[8] (BLOC Reply App. 006, Mayer Reply Rpt. 2)

The Legislature responds that its lower number of splits than Act 43—around one-third fewer in both its assembly and senate proposals—demonstrates its adherence to a "least-change" approach. (Leg. Resp. Br. 6, 15) But by eliminating

[8] The Legislature and Johnson Petitioners incorrectly count BLOC's municipal and county splits. (Leg. Resp. Br. 15; Johnson Resp. Br. 6, 9) As explained in BLOC's simultaneously filed motion to file an amended proposal, some minor technical errors affecting virtually no people caused extra splits. Fixing those errors reduces BLOC's splits to the reported figures above.

these splits, the Legislature's proposal embodies policy choices that differ from Act 43's. "[E]ndorsing" those new policy choices by adopting the Legislature's proposal would be inconsistent with a "least-change" approach. *Johnson*, 2021 WI 87, ¶ 78.

By comparison, BLOC's proposal differs minimally from Act 43, reuniting municipalities and counties only when necessary to reapportion population, consistent with least-change and other criteria. (*See* BLOC Br. 68, 73–74) Likewise, BLOC's new municipal splits that the Legislature highlights (Leg. Resp. Br. 16) were made only as necessary to reapportion population.

D. The Court should not consider the number of paired incumbents when selecting a map.

Incumbent pairings should not be considered because doing so would require the Court to choose between which incumbents to pair—with the attendant partisan effects—

despite the Court's admonition "not [to] present arguments regarding the partisan makeup of proposed districts." *Johnson*, 2021 WI 87, ¶ 87 (Hagedorn, J., concurring); BLOC Resp. Br. 43–47. Even so, BLOC's proposal has just two senate districts and three assembly districts with incumbent pairings.[9] Each of these pairings occurred where legislators resided near their current district's borders due to VRA compliance and necessary population movements, not partisan motivations:

- The pairing in AD39 between Reps. Born and Dittrich occurred because AD38 contracted toward Madison due to the area's overpopulation. Rep. Dittrich lives on the eastern edge of AD38 in Oconomowoc, which shifted into AD39 to keep it in SD13.

- The pairing in AD60 between Reps. Brooks and Katsma occurred because the VRA districts pushed AD60 north from Milwaukee, where it took in Rep. Katsma who lives on the southern edge of current-AD26. This northern push also reunified the city of Sheboygan.

[9] The Legislature incorrectly accuses BLOC of pairing 10 Assembly Representatives. Two pairings involve incumbents not running for re-election: in AD13, where Rep. S. Rodriguez is not running, and in AD31, where Rep. Loudenbeck is not running.

- The pairing in AD82 between Reps. Wichgers and Skowronski occurred because they are nearly neighbors and the movement out of Milwaukee made it impossible to balance population without pairing them. The Legislature proposed this same pairing.

- The pairing in SD8 between Sens. Kooyenga and Darling occurred because contracting AD14 into Milwaukee for the additional Black-majority district left Sen. Kooyenga out of SD5.

- The pairing in SD20 between Sens. Stroebel and LeMahieu occurred because Sen. LeMahieu lives on the southern end of current–SD21, and moving SD20 north toward Sheboygan due to necessary VRA changes meant that he inevitably became paired.

By contrast, the Legislature's pairings in AD15 and AD93 are inexplicable. (BLOC Resp. Br. 26–33)

Dated: January 4, 2022.

By Electronically signed by Douglas M. Poland
Douglas M. Poland, SBN 1055189
Jeffrey A. Mandell, SBN 1100406
Colin T. Roth, SBN 1103985
Rachel E. Snyder, SBN 1090427
Richard A. Manthe, SBN 1099199
Carly Gerads, SBN 1106808
STAFFORD ROSENBAUM LLP
222 West Washington Avenue, Suite 900
P.O. Box 1784

Madison, WI 53701-1784
dpoland@staffordlaw.com
jmandell@staffordlaw.com
croth@staffordlaw.com
rsnyder@staffordlaw.com
rmanthe@staffordlaw.com
cgerads@staffordlaw.com
608.256.0226

Mel Barnes, SBN 1096012
LAW FORWARD, INC.
P.O. Box 326
Madison, WI 53703-0326
mbarnes@lawforward.org
608.535.9808

Mark P. Gaber*
Christopher Lamar*
Simone T. Leeper*
CAMPAIGN LEGAL CENTER
1101 14th St. NW Suite 400
Washington, DC 20005
mgaber@campaignlegal.org
clamar@campaignlegal.org
sleeper@campaignlegalcenter.org
202.736.2200

Annabelle Harless*
CAMPAIGN LEGAL CENTER
55 W. Monroe St., Ste. 1925
Chicago, IL 60603
aharless@campaignlegal.org
312.312.2885

*Admitted *pro hac vice*

Attorneys for Intervenor-Petitioners, Black Leaders Organizing for Communities, Voces de la Frontera, the League of Women Voters of Wisconsin, Cindy Fallona, Lauren Stephenson, and Rebecca Alwin

CERTIFICATION OF COMPLIANCE WITH WIS. STAT. § 809.19(8g)(a)

I hereby certify that this brief conforms to the rules contained in s. 809.19 (8) (b), (bm), and (c) for a brief. The length of this brief is 3,297 words.

Signed:

By Electronically signed by Douglas M. Poland
Douglas M. Poland

CERTIFICATION OF MAILING AND SERVICE

I certify that a paper original and 10 paper copies of the foregoing Reply Brief of Intervenor-Petitioners, Black Leaders Organizing for Communities, Voces de la Frontera, the League of Women Voters of Wisconsin, Cindy Fallona, Lauren Stephenson, and Rebecca Alwin and Appendix were hand-delivered to the Clerk of the Supreme Court on January 4, 2022.

I further certify that on January 4, 2022, I sent true and correct email copies of the foregoing Reply Brief of Intervenor-Petitioners, Black Leaders Organizing for Communities, Voces de la Frontera, the League of Women Voters of Wisconsin, Cindy Fallona, Lauren Stephenson, and Rebecca Alwin and Appendix, to all counsel of record.

By Electronically signed by Douglas M. Poland
Douglas M. Poland